

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION

NO. 03-12563-DPW

NEXTEL COMMUNICATIONS,
Plaintiff

v.

TOWN OF HANSON, ET ALS.,
Defendants

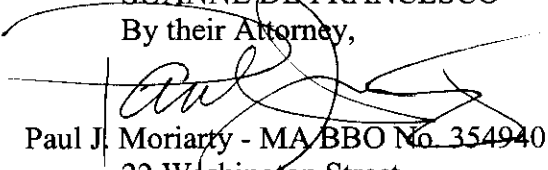
MOTION TO INTERVENE-AS OF RIGHT-INTEREST IN ACTION

Applicants, Steven DeFrancesco and Suanne DeFrancesco, husband and wife, for intervention in the above action as a defendant, and to plead for relief.

Applicant for intervention has an interest relating to the subject property immediately adjacent to their property relative to the installation of an antenna, which is the subject matter of the above-entitled action, in the following respects. The Plaintiff in this action is desirous of installing a 130' antennal tower approximately 40' from the intervenor's property line. Such installation will be detrimental to the intervenors as to their property values and as to their safety in the event of a collapse. Such installation would be in violation of the Massachusetts State Building Code.

Furthermore, applicant is so situated that the disposition of this action may as a practical matter impair or impede their ability to protect that interest, since the applicant is not adequately represented by the existing parties whose interests are adverse to those of the applicant.

STEVEN DE FRANCESCO and
SUANNE DE FRANCESCO
By their Attorney,


Paul J. Moriarty - MA BBO No. 354940
22 Washington Street
Norwell, MA 02061
781-871-3200

Dated: January 16, 2004